

### **REASONS FOR ALLOWANCE**

1. Claims 1-3, 5, 7, 8 thru 27 and 31 thru 44 are allowed.
2. The following is a statement of reasons for the indication of allowable subject matter: In regard to claim 1, the prior art of record fail to show a movable barrier operator, comprising:

a count value being recalibrated from a passpoint event between the open and closed position of the barrier when an anticipated passpoint event between the open and closed position of the barrier does not correlate with a count value in the count zone as the barrier moves past the passpoint reference point between the open and closed position of the barrier such that a position of the barrier is indicated relative to a reference point that is intermediate the full range of travel of the barrier.

In regard to claim 8, the prior art of record fail to show a method comprising:

Recalibrating count values when an anticipated passpoint event does not correlate with a count value in the count zone as the object moves past the fixed reference point in the count zone such that the position of the object is indicated relative to a reference point which is intermediate the full range of travel of the object.

In regard to claim 23, the prior art of record fail to show a method comprising:

Recalibrating a signal count value when an anticipated passpoint event does not correlate with a count value in any of the count zones as the object moves past any one of the fixed reference points such that the position of the object is indicated relative to a reference point that is intermediate the full range of travel of the barrier.

In regard to claim 31, the prior art of record fail to show a method comprising:

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Recalibrating a count value when an anticipated passpoint event does not correlate with a count value in the at least one of the count zones as the barrier moves past the passpoint in the count zone to calibrate a position of the movable barrier.

In regard to claim 41, the prior art of record fail to show a movable barrier operator, comprising:

A plurality of passpoint signal generators that are responsive to indicia of movement of the movable barrier which effect passpoint events from fixed reference points and define locations of count zones between an open and closed position of a movable barrier, the count zones being defined by count values which are intermediate the full range of movement of the barrier,

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

### **Response to Arguments**

3. Applicant's arguments, see Remarks, filed 07/09/2008, with respect to claims 1-44 have been fully considered and are persuasive. The objection to claims 1, 8, 23, 25, 31 and 41 has been withdrawn. Correction is made in the interview summary to correct the name Timothy R. Baumann to Timothy E. Levstik.

### **Conclusion**

Any inquiry concerning this communication or earlier communications from the examiner should be directed to ANTONY M. PAUL whose telephone number is

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(571)270-1608. The examiner can normally be reached on Mon - Fri, 7:30 to 5, Alt. Fri, East. Time.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Benson Walter can be reached on (571) 272-2227. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Antony M Paul/  
Examiner, Art Unit 2837 10/01/2008

/Walter Benson/  
Supervisory Patent Examiner, Art Unit 2837